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# MINUTES

## San Luis Obispo County Planning Commission

Bob Roos  
Doreen Liberto-Blanck  
Sandra Nielsen  
Eugene Mehlschau  
Wayne Cooper

Regular Planning Commission meetings are held in the Board of Supervisors Chambers, County Government Center, San Luis Obispo, on the second and fourth Thursdays of each month. Regular Adjourned Meetings are held when deemed necessary. The Regular Meeting schedule is as follows:

### MEETING LOCATION AND SCHEDULE

Meeting Begins:	8:45 a.m.
Morning Recess:	10:00- 10:15 a.m.
Noon Recess:	12:00 - 1:30 p.m.
Afternoon Recess:	3:00 - 3:15 p.m.

*ALL HEARINGS ARE ADVERTISED FOR 8:45 A.M. HOWEVER, HEARINGS GENERALLY PROCEED IN THE ORDER LISTED. THIS TIME IS ONLY AN ESTIMATE AND IS NOT TO BE CONSIDERED AS TIME GUARANTEED. THE PUBLIC AND APPLICANTS ARE ADVISED TO ARRIVE EARLY*

**MEETING DATE: THURSDAY, DECEMBER 9, 2004**

**DRAFT \*\*\*\*\* DRAFT \*\*\*\*\* Wording could change upon approval \*\*\*\*\* DRAFT \*\*\*\*\* DRAFT**

**PRESENT:** Commissioners Wayne Cooper, Doreen Liberto-Blanck, Sandra Nielsen, Bob Roos, Chairman Eugene Mehlschau

**ABSENT:** None

**STAFF:** Warren Hoag, Current Planning  
Pat Beck, Assistant Planning Director  
Chuck Stevenson, Current Planning  
Stephanie Fuhs, Planner  
Brian Pedrotti, Planner  
Mike Wulkan, Planner

**OTHERS:** Jim Orton, County Counsel  
Tim McNulty, County Counsel  
Richard Marshall, Public Works  
Eric Wier, Public Works  
Jan Di Leo, County Parks

Speaker	Note
Roll call & flag salute	All Commissioners present.
PUBLIC COMMENT	Members of the public wishing to address the Commission on matters other than scheduled items may do so at this time, when recognized by the Chairman. Presentations are limited to three minutes per individual.
Eric Greening	Believes this to be last meeting of the year and thanks Commission for their service. Would like follow up on a topic for a possible study session. Would like to know where

	TDC ordinance is going. Questions regarding other parts of county without local advisory committees and would like these areas mapped and discussed. States all people should have the right to be represented by some type of advisory committee. Gives an example of the El Pomar/Estrella area as being covered by several different agencies such as Templeton Area Advisory Group (TAAG), while some have no advisory committees. Gives examples of areas such as Adelaida without an advisory committee.
<b>PLANNING STAFF UPDATES</b>	
Warren Hoag, staff	Best wishes and thank you for hard work of 2004. Responds to Mr. Greening's questions. A need for representation for the unincorporated areas on the TDC ordinance amendments that are just beginning the process is valid and interesting. States we currently have 11 established community advisory committees which cover portions of unincorporated areas that could be subject to TDC's. These ordinance amendments are to consider tightening criteria for using land in the Land Use Category as receiver sites with possibilities of eliminating them as receiver sites. People can give input to this process in a variety of different ways such as establishing contacts directly with staff, or the county wide Agriculture liaison board. The meetings will be publicized. A possibility of a study session with the PC and public involvement is also being discussed. A review period of various advisory committees will be held before determining the actual text of the proposed amendments. Beyond that it would be a policy decision on the part of the Board of Supervisors (BOS) to whether they want to establish more advisory committees for areas that are not covered.
Commissioner Roos	Requests additional information regarding whether TDC issue will be referred to other agricultural interest groups, with staff responding.
Matt Janssen, staff	Regarding Cambria water tanks, the situation has entered the courts as has been published in the newspapers. Two lawsuits have been filed, first by Cambria Community Services District (CCSD) naming county and CCC, second is by the California Coastal Commission (CCC) which names only the CCSD. Both suits will be heard Friday 12/17/04. Item is scheduled to come before PC on 01/13/05.
Commissioner Liberto-Blanck	Questions nature of the lawsuit, with County Counsel responding.
<b>CONSENT AGENDA</b>	
Discussion takes place	Among Commissioners, planning staff and County Counsel regarding legal requirements for taking action on items shown on the Planning Commission agenda, and requirements for placing onto the agenda items to be considered.
Commissioner Liberto-Blanck	Pulls Consent items a., b., c., f., and h, to be brought back to a future meeting for approval. Further states Consent item g. requires correction to page 12 to reflect the Planning Commission's action was taken only in regard to heating units and no other issues.
Warren Hoag, staff	Reads proposed changes for Consent item g. into the record. Discussion takes place among Commissioners and staff regarding Commission's desires relative to presentation of Minutes.
<b>MOTION</b>	Thereafter, on motion by Commissioner Liberto-Blanck, seconded by Commissioner Nielsen, and unanimously carried, to continues items a., b., c., f., and h indefinitely, and to approve the balance of the Consent Agenda as follows:
	d. Minutes of April 22, 2004 e. Minutes of May 13, 2004. with corrections read into the record by Chairman

	<p>Mehlschau and Warren Hoag, planning staff.</p> <p>g. Minutes of October 28, 2004, with corrections read into the record by Commissioner Liberto-Blanck and Warren Hoag, planning staff.</p> <p>i. TRACT 2451 (S010201T) request from NORTH COAST ENGINEERING, INC. for a 1<sup>st</sup> time extension for Vesting Tentative Tract Map 2451 (S010201T) to subdivide an existing 24 acre parcel into 16 lots ranging in size from one acre to six acres. The project is located on the north side of Highway 41, immediately east of Toby Way, in the community of Shandon, in the Shandon/Carrizo Planning Area. APN: 017-181-051 &amp; 017-321-004. Supervisorial District #1.</p> <p>j. EMERGENCY PERMITS. The following emergency permits have been issued by the Planning Director. This is a report to the Planning Commission as required by Section 23.03.045(8) and I being provided for public information only. No action need be taken by the Planning Commission except to Receive and File. The decision to issue an emergency permit is solely at the discretion of the Planning Director, although subsequent permits required for the project are subject to all applicable hearing requirements as specified in Titles 22 or 23. (Recommendation: Receive and File)</p> <p>Issuance of an Emergency Permit (County File Number ZON2004-00362) to Warren Lilly for the construction/drilling of a new approximately 350-foot deep water well and connection of the new water well to existing well equipment. This project is located in the Coastal Zone, on the west side of Clark Valley Road (2225 Clark Valley Road), at APN: 074-225-038 in the community of Los Osos, in the Estero Planning Area. Supervisorial District #2. A subsequent land use permit for the subject property is required to be filed, subject to Section 23.03.045 of the CZLUO. The land use permit process will provide an opportunity for public comment..</p>
1. JAMES JURKA DRC2003-00110	<p>This being the time set for continued hearing to consider proposal by <b>JAMES JURKA</b> for a Minor Use Permit to allow an existing commercial aviary housing between 21 and 800 birds. The proposed project is within the Residential Rural Land Use Category. The property is located in the county at 388 Ormonde Road, on the northwestern corner of Ormonde and Noyes Road, approximately 2 miles north of the City of Arroyo Grande. APN: 044-371-055, in the San Luis Bay (Inland) Planning Area. This project is exempt under CEQA.. County File Number: <b>DRC2003-00110</b>. Date application accepted: project never accepted for processing. Supervisorial District # 4.</p>
Chuck Stevenson, staff	Discusses a continuance, stating staff is prepared to summarize issues.
Discussion takes place	Among Commissioners and staff regarding items in staff report and whether they have been provided by the applicant, with staff responding.
Stephanie Fuhs, staff	Presents staff report.
Further discussion takes place	Among Commissioners and staff regarding when Code Enforcement might become involved, the number of birds and whether permits are required, and other options the Planning Commission may have besides denial.
James Jurka, applicant	States he feels he is being accused of not having proper permits. States concerns regarding having to obtain a Minor Use Permit. Does not accept staff's recommendations. Cites 12/31/01 meeting with Karen Nall in which a Land Use Permit was issued for the birds. States he has had a business permit for the last two years and feels he is being asked to repeat permitting process. He has hired a lawyer, who is unavailable to speak at this meeting.
Commissioner Roos	Questions applicant for evidence of Minor Use Permit, stating the current Land Use Permit is for a kennel, not for birds.
James Jurka, applicant	States all he has is a notice stating he needs to get a permit. Again cites meeting with

	Karen Nall. Submits paperwork for review.
Commissioners and staff	Discuss business license, whether a minor use permit was issued for the property, the difference between business licenses and minor use permits generally, zoning, the number of birds, and whether a minor use permit for a kennel was issued.
James Jurka, applicant	States he had the permit changed from a commercial kennel to an Aviary.
Chuck Stevenson, staff	States the issue is land use and the number of birds. States Code Enforcement does not having a enough resources for continuous checking in all areas of the county.
Commissioner Roos	Questions applicant regarding staff's request that Mr. Jurka submit an application for a Minor Use Permit.
Stephanie Fuhs, staff	States the only application for a Minor Use Permit came in May 2004.
James Jurka, applicant	Cites meeting with Karen Nall. States he paid approximately \$800.00 for a permit, but cannot find paperwork. States since the original permits were obtained he feels he is being asked to comply with conditions unfairly. States he is unsure of what he will do and will not get rid of birds.
Discussion takes place among Commissioners, staff and applicant	Regarding letters to the applicant requesting he obtain a minor use permit, whether one was issued, when an application may have been filed, whether mitigating circumstances exist, and handicapped issues.
Susan Hunt, area resident	States the rural atmosphere and quiet has attracted her family to live there. Comments upon applicant's kennel, stating over a period of time the noise level has increased to such a point that she has to play music to drown it out. States she cannot entertain at her house outside. Affects ability to sleep at night with the windows open. Garage is located approximately 50 feet from applicant's property. States concerns for noise and odor issues of applicant's property.
Vicky Bunting, area resident	States when family purchased the property four years ago the noise was not bad. However, complains that currently the noise is constant and very loud. States a granny unit built on their property butts up against applicant's yard and states noise level is 10 times louder there than at her residence. States noise level is uncomfortable and is embarrassed by it when she has visitors. States concerns regarding the odor the birds have, especially during damp weather.
James Jurka, applicant	States neighbor built the house and knew the conditions of the neighborhood. States the Hunts complain about the noise and so she complains with them.
Commissioners, staff, applicant	Discuss what would be done in a hypothetical aviary were complaints received about odors or noise, annual inspections 4 times a year by animal control, a 1994 letter regarding an aviary, land use ordinance, land use permit(s), business license for commercial aviary, content of findings for denial, with staff stating revised findings can be brought back later today for Commission approval.
TENTATIVE MOTION	A tentative motion by Commissioner Nielsen, seconded by Commissioner Roos, is discussed. Thereafter, motion maker and second do not amend their motion, and on motion by Commissioner Nielsen, seconded by Commissioner Roos, and unanimously carried, to follow staff's recommendation and that the Commission finds that the project is exempt from CEQA and the guidelines in 15042 and that the Commission denies Conditional Use Permit DRC2003-00110 based on the Findings listed in Exhibit A to be amended by staff by adding additional Finding with chronological sequence of past events on the site.
2. GRANT DORMAN : SUB2003-00281/ TR 2619	This being the time set for hearing to consider proposal by <b>GRANT DORMAN</b> for a Tentative Tract Map to construct a planned development consisting of 22 multi-family attached residences of 1,235 square feet each. In addition, 22 parcels, ranging in size

	from 1,364 to 1,873 square feet are proposed with one parcel for common area totaling 20,407 square feet in the Residential Multi-Family Land Use Category. The property is located in the county at Avenida De Amigos, approximately 400 feet west of Highway 101, in the Nipomo urban area, APN: 092-142-035, in the South County (Inland) Planning Area. Also to be considered at the hearing will be approval of the Environmental Document prepared in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. Mitigation measures identified for: Air Quality; Public Services/Utilities; Recreation; Transportation/Circulation. County File Number: <b>SUB2003-00281/ TR 2619</b> . Date application accepted: September 15, 2004. Supervisorial District # 4 . Brian Pedrotti Planner, and Steve McMasters, Environmental Specialist.
Brian Pedrotti, staff	Presents staff report. Describes property and design. Displays proposed tentative map.
Chuck Stevenson, staff	Clarifies what project will look like and discusses a color palate. Overhead color renderings displayed.
Commissioners and staff	Discuss colors and landscaping, variety in style, whether there will be tiling or painting, window treatment variety, color boards, fees.
Grant Dorman, applicant	States he supports the findings and conditions.
MOTION	The matter is thoroughly discussed, and thereafter, motion by Chairman Mehlschau, seconded by Commissioner Liberto-Blanck, carries unanimously, to adopt the Negative Declaration, in compliance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq., and <b>RESOLUTION NO. 2004-098</b> , granting a Vesting Tentative Tract Map to GRANT DORMAN for the above referenced item, based on the Findings listed in "Findings - Exhibit A," and subject to the Conditions in "Exhibit B Conditions of Approval for TR 2619 (Dorman)" and <b>RESOLUTION NO. 2004-099</b> , granting a Conditional Use Permit to GRANT DORMAN for the above referenced item, based on the Findings listed in "Findings - Exhibit A Conditional Use Permit SUB2003-00281 (Dorman)" and subject to the Conditions listed in "Exhibit B - Conditions of Approval Conditional Use Permit SUB2003-00281 (Dorman)" with the following changes: in Condition 6 revise sentence two to read: "The plans shall include mission tile and wood trellis entrances, exposed rafter tails, decorative entry doors with iron grills, and enhanced and varied window treatments."; add new Condition 14 to read: "Proper abandonment of any existing septic systems."; and renumber the remaining conditions as appropriate, adopted.
1 JAMES JURKA, County File No. DRC2003-00110	Continued hearing from earlier today, to consider proposal by <b>JAMES JURKA</b> for a Minor Use Permit to allow an existing commercial aviary housing between 21 and 800 birds. (See complete description above.)
Stephanie Fuhs, staff	Provides revisions.
MOTION	The matter is thoroughly discussed, and thereafter, motion by Commissioner Nielsen, seconded by Chairman Mehlschau, unanimously carries to find this project is statutorily exempt from CEQA and to deny Conditional Use Permit DRC2003-00110 based on the Findings in Exhibit A as amended by the addition of letter F to read as follows: "Based on the information included in the County records and information provided by the applicant, there is insufficient evidence that a Minor Use permit for a commercial aviary containing between 21 and 800 birds exists based on the following documentation: <ul style="list-style-type: none"> <li>• A business license (zoning/land use clearance) was issued in January 1994 for a kennel of 900 square feet</li> <li>• A Minor Use Permit was requested by the County to be filed by the applicant for a commercial aviary with greater than 21 birds via a letter from the County in December 2001</li> </ul>

	<ul style="list-style-type: none"> <li>• A business license change (again, zoning land use clearance, not a Minor Use Permit) was issued in December 2001 changing the kennel use to a commercial aviary use.</li> <li>• There is no record of a Minor Use Permit application filed with the County until May 2004.</li> </ul>
3. SAN LUIS OBISPO COUNTY DEPARTMENT OF PUBLIC WORKS	<p>This being the time set for hearing to consider proposal by <b>SAN LUIS OBISPO COUNTY DEPARTMENT OF PUBLIC WORKS</b> for a Third Time Extension for the project approved on August 18, 2000 to construct a 8-foot wide asphalt bike path with 2-foot wide compacted road base shoulders on El Moro Avenue between South Bay Boulevard and 12<sup>th</sup> Street. Four retention basins will be constructed to accommodate drainage, including driveway and drainage improvements between 11<sup>th</sup> and 12<sup>th</sup> Streets. The County will restore native vegetation to the 20-foot wide outer sections between the path and the edge of the 80-foot wide right-of-way. The total area of disturbance is estimated to be 1.5 acres in the Residential Single Family Land Use Category. The property is located in the county on El Moro Avenue, between South Bay Boulevard and 11<sup>th</sup> Street in the community of Los Osos, in the Estero Planning Area. Also to be considered at the hearing will be approval of the Environmental Document prepared in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. Mitigation measures identified for; Biological Resource, Cultural Resources, and Geology &amp; Soils. County File Number: <b>D990196P / ED99-620</b>. Date application accepted: May 12, 2000. Supervisorial District # 2. Matt Janssen, Project Manager.</p>
Matt Janssen, staff	<p>Discusses public comment and to grant or deny the request for extension of time. States Eric Wier, Public Works Department, is available for questions. States that the conditions of approval for the project are not at issue today. Clarifies that the objective today regarding this item is whether to grant or deny the third time extension request.</p>
PUBLIC TESTIMONY	
Nathan Anton	<p>Los Osos. Speaks to his concerns about water in the area and retention ponds which dump water on the south side of Nipomo Street. Indicates direction of water flow using overhead photos.</p>
Richard Marshall, Public Works	<p>Provides a description of chronic drainage problems in Los Osos. States he is unfamiliar with this particular capital improvement project. Finds it unlikely that this project will change current drainage problem.</p>
Eric Wier, Public Works	<p>States the project has incorporated drainage improvements. States there will be three drainage basins built on 14th, 13th, 12<sup>th</sup>, and El Moro Streets. A culvert will be at 12th street. States this will improve the circumstances.</p>
Commissioners, Public Works	<p>Discuss the County's involvement, asphalt being put down, increases in run-off that may take place, additional drainage basins, responsibility of Los Osos Community Services District, and responsibility of the County.</p>
Jan Delio, County Parks Department	<p>States they are still in negotiations regarding responsibilities.</p>
Commissioner Roos	<p>Asks if County Parks Department, can respond to a letter received by Marilyn Stewart stating concerns regarding construction of the bike path, with County Parks responding.</p>
Jan Delio, Parks Department	<p>States that some of the issues brought forth in the letter have been addressed. States the project was originally approved in 2000. States the circulation issue was discussed with residents and the circulation that was approved was approved with CDF's input and neighbors' input. The conclusion was that this project would provide a safe corridor, access to emergency vehicles, a place for walking, and decrease flooding in</p>

	<p>certain areas. States that a grant was received to make this into a linear park. Parks department would provide Ranger staff that would visit periodically, and have park benches which would make this more of a park setting than just a bike path.</p>
MOTION	<p>Thereafter, on motion by Commissioner Liberto-Blanck, seconded by Commissioner Nielsen, and unanimously carried to approve the Third Time Extension to be valid until December 9, 2005 for this use permit and Coastal Development Plan based on the Findings in Exhibit A that carry over the original Findings and Conditions which have been attached to today's staff report.</p>
<p>4. Anastasi Construction Co. S970007T, TR97-2251 / D990109D</p>	<p>This being the time set for hearing to consider an appeal by <b>Anastasi Construction Co.</b> of a Planning Director decision [pursuant to Coastal Zone Land Use Ordinance Section 23.01.042b(1)(ii)] that there is insufficient information to process or conduct environmental review for the following application: a request by Anastasi Construction Co. for a vesting Tentative Tract map, Development Plan and Coastal Development Permit to subdivide an existing 9.1-acre parcel into 42 parcels ranging from 6,000 to 15,022 square feet, including 40 residential parcels, a park and detention basins, for the purpose of sale and/or development. The division will create three on-site roads. The proposed project is within the Residential Single Family Land Use Category and is located in the county on the east side of Pecho Valley Road, approximately 350 feet south of Montana Way in the community of Los Osos, Assessor Parcel Number: 074-025-010, in the Estero Planning Area. An Initial Study is currently being prepared. <b>County File No: S970007T, TR97-2251 / D990109D.</b> Date Application Accepted: January 8, 2000. Supervisorial District 2. Mike Wulkan, Project Manager.</p>
Mike Wulkan, staff	<p>Discusses hearing the appeal of applicant. States applicant requested an Environmental Impact Report. Clarifies action that can be taken by Planning Commission. Displays map overhead. Discusses work that was not done, for example, there was no sewer connection in Monarch Grove; no evidence the connection would be approved by Regional Water Quality Control Board (RWQCB); no proven viability of sewage disposal. Discusses compliance with standards requiring proof of water availability, stating there is no evidence that project could meet that standard. No improved habitat conservation plan was submitted. Discusses changes in conditions. States applicant filed a revised project in April 2004. An interim connection to another sewage plant was discussed. Staff is preparing an environmental determination. Staff needs to evaluate the change in sewage connection.</p>
Commissioners, staff, and County Counsel	<p>Discuss partially upholding the appeal, denying the appeal, what portions of the EIR, if any, may be inappropriate.</p>
Richard Nismick, agent for applicant	<p>States a preliminary study is in process. States he is in full agreement with staff report except for one item, regarding which sewer will be connected. States property has already been assessed. Currently looking for the opportunity to not be conditioned into the CSD coming in. Applicant wants the opportunity to build a sewer, or to connect up to an existing sewer.</p>
Ann Bahme	<p>States concerns regarding three on site roads. One of them could be an extension of a road that goes into the Vista De Oro tract. Concerned with the extension of Los Arbolis into the new tract which will impact the area. States the area was developed in the early 1970's.</p>
Katy Clark	<p>States she has seen the plans and has concerns with the progression of the project. States an endangered species of bush was cut down by county agency. Discusses appeal. Discusses the endangered grass or shrubs being cut down.</p>
Terry Farris	<p>Provides background in Urban/City planning management. States she is acting as liaison for her neighbors concerns. States she has knowledge regarding the background of the project and CCC's involvement. States staff's report is incomplete</p>

	based on historical views. Has questions regarding new information cited in staff report. States new sewer hookup is currently in litigation and it has not been approved by the CCC. Would like more time to assess options with staff so that she can act as an interpreter to the neighbors. Asks that this issue be continued to the next meeting. Does not oppose staff's recommendation.
Commissioner Nielsen	Gives a clarification to Ms. Farris regarding the effect of Planning Commission's decision on this item. Clarifies that the decision today will be one of instructing staff on moving forward with the project which will be presented to the Planning Commission at a later date.
Lisa Schicker	Newly elected director to LOCSD, states she is speaking as a citizen with a planning and biological background. Discusses items for consideration. States that Los Osos has had problems grandfathering in old plans. States sewer project is in litigation. Questions if this project would be a Habitat Conservation Plan (HCP). States there is a current enforcement action by the U.S. Fish and Wildlife Service. States CCC has not approved project. States concerns regarding build out and sewer capacity.
Gweynn Taylor	Resident of Los Osos for over 30 years. States her objections to project. Mentions the cumulative impact on community.
Julie Tacker	States she is curious about the appeal window and how this project has progressed to this point. Questions Mr. Nysnck regarding a RWQCB sewer being built for 42 homes. States this will be another ill placed sewer in Los Osos. States property has habitat value and is considered Dunes Sands ESHA. States California Coastal Commission also has concerns. States Estero area plan is built on assumptions.
Jan DiLeo, County Parks	States there is a major trail that runs along the southern portion. Encourages applicant to discuss design with the Parks Department. Discusses Quimby opportunities which may exist.
Rick Nyznck, Appellant	States he has been in contact with Ms. Stone (letter's author). Plans resolution with Ms. Stone's concerns. Discusses roadway and Los Arbolis, and does not want to put in an extension. States county wants fire access through Los Arbolis. Discusses a potential roadway up the hill. Addresses Ms. Clark's comments regarding cutting down plants. States applications were submitted and after final submission in 2003 they were referred to enforcement. Applicant continues contact in search of a resolution. Discusses reasoning for the language change in the Findings.
Commissioner Nielsen	Addresses the question regarding an appeal window.
Mike Wulkan, staff	Discusses appeal regarding lack of action. States there was no specific determination regarding a window of time.
Commissioner Liberto-Blanck	Questions if staff is doing what applicant requested.
Mike Wulkan, staff	States staff has started an initial study, and if PC approves this item, staff will complete the initial study.
Commissioner Nielsen	Requests a solution to a procedural issue regarding the applicant's request to modify the language in the Findings. Believes that RWQCB disposal should be sufficient. Questions if staff needs to change the language of the appeal.
Mike Wulkan, staff	Gives clarification regarding the Monarch Grove community sewer project. States that before the study is completed they need to know the method of sewage disposal, whether it will be Monarch Grove, RWQCB, or other. Cites letter received from applicant regarding community wide sewer.



Tim McNulty, County Counsel	States with no project description there is no sense to perform an EIR. Before staff can finish work there must be an agreement of project description and disposal of sewage. If the method of sewage disposal changes to something other than a connection to the LOCSD, or proposed community wide sewer, there are policies in effect that would prevent Planning Commission from approving a project like that.
Commissioner Liberto-Blanck	Questions County Counsel regarding options for the applicant, and withdrawal of appeal regarding E.I.R.
Tim McNulty, County Counsel	States appeal has had its effect, which caused the Planning Department to move forward.
Rick Nyznck, Appellant	States concerns with study, E.I.R. being completed. Discusses clarification of language change in Findings. States there would be no problem withdrawing appeal if staff can say they will complete initial study.
Matt Janssen, staff	States staff would not continue due to pending issues. Prefers PC direct staff to finish initial study.
Commissioner Roos	Questions if this small sewer plant can be built.
Mike Wulkan, staff	States it can with approval from RWQCB.
Commissioner Nielsen	Discusses language change to Findings.
Commissioner Liberto-Blanck	Addresses initial study going forward.
MOTION	The matter is thoroughly discussed and, thereafter, on motion by Commissioner Liberto-Blanck, seconded by Commissioner Nielsen, and unanimously carried, to partially uphold the appeal and instruct staff to continue processing the initial study addressing all the issues that were brought up today and the issues that staff identified and amended Finding B shall be that the application by the applicant for Vesting Tentative Tract Map and Coastal Development Permit should continue to be processed and an initial study should be completed to determine the environmental impact of the proposed project.
MOTION	Thereafter on motion by Commissioner Roos, and seconded by Commissioner Liberto-Blanck, and unanimously carried, to take all materials received today and have them entered into public record.
Commissioner Nielsen	Thanks Supervisor Pinard for the opportunity to serve as a Commissioner as this is her last meeting. Compliments staff and Planning Department.
Commissioner Cooper	Thanks staff, fellow commissioners and the public. States his six years on the Planning Commission was enjoyable. States Commission has always been professional and thanks staff for their professionalism.
Chairman Mehlschau	States his gratitude for both Commissioners.
Commissioner Liberto-Blanck	Gives her appreciation for both Commissioners.
Pat Beck, Assistant Planning Director	Thanks Commissioners for their contributions.
ADJOURNMENT	

Respectfully submitted,  
 Ramona Hedges, Secretary, Pro Tem  
 County Planning Commission